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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,112	03/11/2004	Stephen Rawle	00216-624001 / Case 8125	5924

26161 7590 08/07/2006

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

PAYER, HWEI SIU CHOU

ART UNIT PAPER NUMBER

3724

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,112

Applicant(s)

RAWLE, STEPHEN

Examiner

Hwei-Siu C. Payer

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-17 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-8 and 11-17 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

The amendment filed on 4-27-2006 has been entered. The text of the canceled claims should not be supplied.

Claims Objection

Claims 1-8 and 11-17 are objected to because of the following informalities:

- (1) In claims 1 and 11, line 8, "a blade" should read --the blade--.
- (2) In claims 16 and 17, line 1, "said support member base portion" should read --said depending base portion--.

Appropriate correction is required.

Claims Rejection - 35 U.S.C. 103(a)

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7, 8 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilder et al. (U.S. Patent Application Publication No. 2002/0144404) in view of Gilder et al. (U.S. Patent No. 6,212,777).

Gilder et al. '404 discloses a shaving razor blade unit comprising a housing (10), a shaving surface defined by a group of parallel blades (19,20,21,22) supported by the housing (10), the blades (19,20,21,22) being mounted on support members (28) that are movable mounted on the housing (10). The shaving razor blade unit of Gilder et al. can be a three-blade shaving unit (see Fig.5) or a four-blade shaving unit (see Fig.8). In both cases, the inter-blade span (S2 and S3 for three blades, see Fig.5) and (S2,S3,S4 for four blades, see Fig.8) can be 1.11 mm (see paragraphs [0025] and [0031]) regardless the numbers of the blades, and the expose of blades between the first blade and the last blade is approximately 0 degree.

In view of this fact, one skilled in the art who wishes to provide the four-blade shaving unit (Fig.8) of Gilder et al. with an additional blade (for the purpose of adding an additional cutting surface to reduce overall shaving time) would have known to keep the inter-blade span at a constant value (i.e. 1.11 mm) as suggested by Gilder et al. Therefore, the claimed limitation of "the distance from the cutting edge of a first blade of said group to a last blade of said group being between 3.8 mm and 4.6 mm" is met (i.e. $1.11 \text{ mm} \times 4 = 4.44 \text{ mm}$).

With regard to the blade length, the '404 reference is silent about it. However, since the inter-blade span is at the above constant value (i.e. 1.11 mm), it is obvious that the blade length thereof is about or less than 1.11 mm. To select a certain range such as less than 1mm for the blade length of the '404 reference would have been obvious to one having ordinary skill in the art, since it has been held that where the

general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233 (CCPA 1955).

It is noted the blades of Gilder et al. '404 are each mounted on a support member (28) which is not of the claimed angled shape, and the exposure of the first and last blades is not as claimed.

Gilder et al. '777 show a blade (11) mounted on a support member (unnumbered, see Fig.2) having a blade platform portion for supporting the blade (11) and a depending base portion angled relative to the blade platform portion. The '777 reference also shows a blade unit comprising a first blade (11) having a negative exposure (EXP -0.04 , see Fig.2) and a last blade (13) having a positive exposure (EXP $+0.06$, see Fig.2).

It would have been obvious to one skilled in the art to further modify Gilder et al. '404 by having each blade supported on a well-known angled shape blade support member such as that of '777's and by having the first blade arranged at a negative exposure and the last blade arranged at a positive exposure to reduce the drag forces during shaving as taught by the '777 reference.

With regard to claims 2 and 3, it is well known in the art the length of the inter-blade span affects the overall size and the rinsing efficiency of the blade unit. Therefore, it would have been obvious to one skilled in the art to further modify Gilder et

al. by selecting a desirable range for the blades distance to achieve a desirable size of the blade unit and yet not to jeopardize the rinsing efficiency thereof.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gilder et al. (U.S. Patent Application Publication No. 2002/0144404) and Gilder et al. (U.S. Patent No. 6,212,777) as applied to claim 1 above, and further in view of Trotta (U.S. Patent No. 4,407,067).

Gilder et al. '404 as modified shows all the claimed structure except it is silent about the range for the blade tangent angle.

Trotta shows a razor unit comprising a group of blades (40,44) each having a blade tangent angle of between 21 to 22 degrees (see Abstract).

It would have been obvious to one skilled in the art to further modify Gilder et al. '404 by having the blades at a tangent angle of between 21 to 22 degrees to achieve a closer and safer shave as taught by Trotta.

Remarks

Applicant's arguments with respect to claims 108 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Action Made Final

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for official communications and 571-273-4511 for proposed amendments.

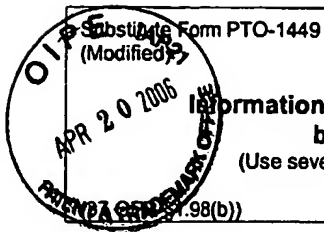
Application/Control Number: 10/798,112
Art Unit: 3724

Page 7

H Payer
July 27, 2006

H Payer

H Payer
Primary Examiner


 Substitute Form PTO-1449
(Modified)

 U.S. Department of Commerce
Patent and Trademark Office

 Attorney's Docket No.
00216-624001

 Application No.
10/798,112

**Information Disclosure Statement
by Applicant**

(Use several sheets if necessary)

 Applicant
Stephen Rawle

 Filing Date
March 11, 2004

 Group Art Unit
3724

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
18P	AA	US 2003/204955 A1	11/06/03	Gilder et al.	30	50	
11P	AB	US 2003/204954 A1	11/06/03	Wain	30	50	
18P	AC	5,526,567	06/18/96	Carson, III et al.	30	50	
18P	AD	5,497,550	03/12/96	Trotta et al.	30	50	
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
18P	AL	WO 99/39883	08/12/99	PCT				
	AM							
	AN							
	AO							
	AP							

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AQ	
	AR	
	AS	
	AT	

Examiner Signature

18 Vayer

Date Considered

7/27/06

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. PATENT & TRADEMARK OFFICE

PTO FORM 1449

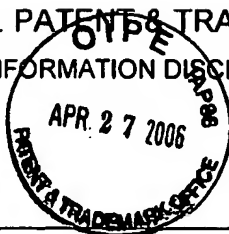
INFORMATION DISCLOSURE CITATION

DOCKET NO.: 8125

APPLICANT: Stephen Rawle
SERIAL NO.: 10/798,112
FILING DATE: March 11, 2004

SHEET 1 OF 1

GROUP: 3724



U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
1st	AA	6,009,624	1/4/2000	Apprille, Jr.	B26B-30	21/22-50	0/30/1997
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
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FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATE
	AL						
	AM						
	AN						
	AO						
	AP						
OTHER PUBLICATIONS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
1st	AR	Search Report dated 28 July 2005 in corresponding International Application - PCT/US2005/007332					
	AS						
	AT						
EXAMINER: 1st Payer				DATE CONSIDERED: 7/27/06			

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U.S. PATENT & TRADEMARK OFFICE

PCT FORM 1449

INFORMATION DISCLOSURE CITATION

DOCKET NO.: 8125

APPLICANT: Stephen Rawle
SERIAL NO.: 10/798,112
FILING DATE: March 11, 2004

SHEET 1 OF 1

GROUP: 3724

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
<i>SR</i>	AA	2005/0198828	9/15/05	Pennell et al.	B20B <i>30</i>	24/00 <i>50</i>	3/11/04
	AB						
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FOREIGN PATENT DOCUMENTS							
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	AP						
OTHER PUBLICATIONS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
<i>1</i>	AR	Mach3 cartridge blade assy., described in above US2005/0198828 at Fig. 8 and para. [0026] co-filed with present application.					
	AS						
	AT						
EXAMINER:		<i>12</i> <i>Page</i>			DATE CONSIDERED: <i>7/27/06</i>		

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copy not received.